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JC962 U.S. PTO

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. SEN-012

First Inventor Kenneth C. Johnson et al.

Title OPTIMIZED APERTURE SHAPE FOR OPTICAL
CD/PROFILE METROLOGY

Express Mail Label No. EL 852360258 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit in original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27
3. ☒ Specification (Total Pages 7)
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. Oath or Declaration [Total Pages 1]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies), or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☒ Other: Cert. of Mailing; Check

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. _____

Prior application information

Examiner _____

Group Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label003897
(Insert Customer No. or Attach bar code label here)or ☒ Correspondence address below

Name

Law Offices of Thomas Schneck

Address

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95109-0005

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U.S.A.

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408/297-9733

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Name (Print Type)

Thomas Schneck

Registration No. (Attorney/Agent)

24,518

Signature

Thomas Schneck

Date

08/23/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 355.00

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Kenneth C. Johnson et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	SEN-012

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to
- Deposit Account Number 19-0590
- Deposit Account Name Thomas Schneck Law Offices
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	201	690	345			Utility filing fee	355
106	206	310	155			Design filing fee	
107	207	480	240			Plant filing fee	
108	208	690	345			Reissue filing fee	
114	214	150	75			Provisional filing fee	

SUBTOTAL (1) (\$) 355

2. EXTRA CLAIM FEES

Total Claims 5 - 20** = 0 X Fee from below =

Independent Claims 1 - 3** = 0 X Fee Paid =

Multiple Dependent =

**or number previously paid, if greater; For Reissues, see below

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	203	18	9			Claims in excess of 20
102	202	78	39			Independent claims in excess of 3
104	204	260	130			Multiple dependent claim, if not paid
109	209	78	39			** Reissue independent claims over original patent
110	210	18	9			** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	205	130	65			Surcharge - late filing fee or oath	
127	227	50	25			Surcharge - late provisional filing fee or cover sheet	
139	239	130	130			Non-English specification	
147	247	2,520	2,520			For filing a request for ex parte reexamination	
112	212	920*	920*			Requesting publication of SIR prior to Examiner action	
113	213	1,840*	1,840*			Requesting publication of SIR after Examiner action	
115	215	110	55			Extension for reply within first month	
116	216	380	190			Extension for reply within second month	
117	217	870	435			Extension for reply within third month	
118	218	1,360	680			Extension for reply within fourth month	
128	228	1,850	925			Extension for reply within fifth month	
119	219	300	150			Notice of Appeal	
120	220	300	150			Filing a brief in support of an appeal	
121	221	260	130			Request for oral hearing	
138	238	1,510	1,510			Petition to institute a public use proceeding	
140	240	110	55			Petition to revive - unavoidable	
141	241	1,210	605			Petition to revive - unintentional	
142	242	1,210	605			Utility issue fee (or reissue)	
143	243	430	215			Design issue fee	
144	244	580	290			Plant issue fee	
122	222	130	130			Petitions to the Commissioner	
123	223	50	50			Petitions related to provisional applications	
126	226	240	240			Submission of Information Disclosure Stmt	
581	581	40	40			Recording each patent assignment per property (times number of properties)	
146	246	690	345			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	249	690	345			For each additional invention to be examined (37 CFR § 1.129(b))	
179	279	690	345			Request for Continued Examination (RCE)	
169	269	900	900			Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Thomas Schneck	Registration No (Attorney/Agent)	24,518	Telephone	408/297-9733
Signature	Thomas Schneck			Date	08/23/2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Kenneth C. Johnson et al.
	Title	OPTIMIZED APERTURE SHAPE FOR OPTICAL CD/PROFILE METROLOGY
	Atty Docket Number	SEN-012

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 23, 2001

Date

Thomas Schneck

Signature

Thomas Schneck

Typed or printed name
Attorney for Applicant
Reg. No. 24,518

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

SEN-012

Certificate under 37 CFR 1.10 of Mailing by "Express Mail"

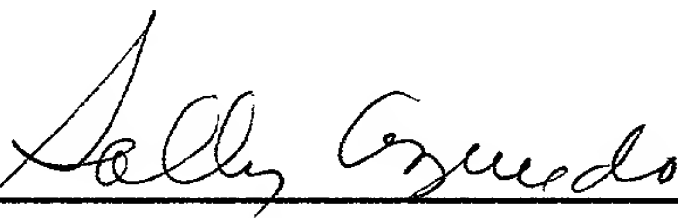
EL 852360258 US

"Express Mail" label number

August 23, 2001

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of person mailing correspondence

Sally Azevedo
Typed or printed name of person mailing correspondence

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